

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RYAN, LLC,

Plaintiff,

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, *et al.*,

Plaintiff-Intervenors,

v.

FEDERAL TRADE COMMISSION,

Defendant

NO. 3:24-CV-986-E

**UNOPPOSED MOTION OF *AMICI CURIAE* LAW PROFESSORS
FOR LEAVE TO PROCEED WITHOUT LOCAL COUNSEL**

1. *Amici curiae* (“*amici*”) are professors at law schools throughout the United States who teach and write about intellectual property, antitrust, equality, employment, and labor law, among other subjects. *Amici* have studied and written extensively about non-compete agreements and their harmful effects on innovation, entrepreneurship, competition, and employee mobility and wages. Various of the *amici* submitted comments to the Federal Trade Commission (“the Commission”) providing data and expertise during the rulemaking process in support of the Federal Trade Commission’s (Commission’s”) Non-Compete Clause Rule, 89 Fed. Reg. 38342 (May 7, 2024). *Amici* intend to move this Court for leave to file an *amici* brief in support of the Commission and the Rule in this case.

2. *Amici* respectfully request that the Court permit them to proceed without local counsel. One of *amici*'s counsel, Mark A. Lemley is a member of the Northern District Bar but does not reside or maintain an office in the District. *Amici*'s other counsel is applying for admission pro hac vice.

3. *Amici* intend only to file an unopposed motion for leave to file their *amici* brief. *Amici* anticipate that the Court will be able to decide their motion on the papers and without a hearing, as it has done with other recent motions for leave to file *amicus* briefs in this case. Given that, and given the *amici* professors limited participation in this case, *amici* respectfully requests that the Court waive the local counsel requirement.

4. Counsel for *amici* have reviewed the Northern District of Texas Local Rules and this Court's Procedures and Standing Order.

5. Counsel for Plaintiff and Plaintiffs-Intervenors consent to this motion. Counsel for the FTC take no position on this motion.

Accordingly, *amici* law professors request that the Court grant this motion for leave to proceed without local counsel.

Respectfully submitted,

/s/ Mark A. Lemley

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CERTIFICATE OF CONFERENCE

I hereby certify that on May 29, 2024, I conferred with counsel for Plaintiff, Plaintiffs-Intervenors, the FTC concerning their position on this Motion for Leave to Proceed Without Local Counsel. Counsel for Plaintiff and for Plaintiffs-Intervenors advised that they consent to this Motion. Counsel for the FTC indicated that the Commission takes no position on this motion.

/s/ Phillip R. Malone

Phillip R. Malone (*pro hac vice* motion
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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2024, I electronically transmitted to the Clerk of the Court of the US District Court for the Northern District of Texas and all counsel of record this Motion for Leave to Proceed Without Local Counsel using the ECF system for filing and service in accordance with Local Rule 5.1.

/s/ Phillip R. Malone

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